

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11896, of Associated Sulpician of the U. S. pursuant to Section 8207.2 of the Zoning Regulations, for a special exception (R-5-A Design Review) as provided by Section 3105.42 of the regulations, to permit the construction of a multi-family residential development in the R-5-A zone consisting of two (2) apartment buildings (Garden Type) containing fifteen (15) units each, at the premises 7th and Kearney Streets, N. E., Lots 2, 3, 4, 806, 807, 808 and 810, Square 3651.

HEARING DATE: May 21, 1975

DECISION DATE: May 27, 1975 & June 26, 1975

FINDINGS OF FACT:

1. The above application requires no variances.
2. The applicant proposes two (2) "garden apartment" buildings, each containing fifteen (15) units; eight (8) one-bedroom apartments and seven (7) two-bedroom apartments.
3. The subject property is presently vacant except for an antiquated frame structure formerly used as a dormitory by a religious order.
4. The Mayor's Assistant for Housing, Acting Director of the Department of Housing and Community Development, reported, and the Board finds that the neighborhood surrounding the subject property is developed as follows: immediately to the north a dormitory of Catholic University, to the south is a detached dwelling, to the west or rear is a private church affiliated institution, and immediately to the east are detached dwellings.
5. There is a mix of apartments, row houses, and institutional uses in the immediate neighborhood of the subject property.
6. The subject property is located in an R-5-A zone and the surrounding area is both R-5-A and R-4 zoned property, with a light industrial use along the B and O Railroad line two blocks east of subject property.

7. The subject property is near the Turkey Thicket Recreation Center which provides a wide range of facilities.

8. There are two (2) passive recreation sites planned for the proposed development with benches and landscaping.

9. The plans for the proposed development further indicate that many of the existing trees will remain plus a substantial number of new shrubs, bushes and trees would be planted on the site.

10. The proposed development would be buffered on the south by a screen fence and by a wall to the north.

11. The Municipal Planning Office stated in their report that no objectionable conditions would result from the proposed development, and recommended approval of the subject application.

12. The Office of Housing and Community stated in its report that the proposed development is consistent with the Housing Policy objections of the District of Columbia, that the development will serve to compliment the surrounding residential uses, and recommended approval of this application.

13. The National Capital Planning Commission, in its report stated that there are adequate public streets and other services to accommodate the residents of the proposed project.

14. The Board of Education reported that the proposed development is not objectionable, because it would have a minimal impact only on schools serving the neighborhood in which it is located.

15. The Department of Highways and Traffic offered no objections to the proposed development in its report.

16. Opposition to the approval of this application was registered by residents of the neighborhood wherein the development in question is proposed. The opposing parties objected to the proposed apartment buildings on the grounds that the density of population would increase by the new construction, thereby creating more crime in the neighborhood, and that because of present off-street parking congestion caused by commuters and college students, that the street system cannot adequately support autos to be used by the residents who would live in the proposed "garden apartments". The opposition also submitted that the apartment buildings proposed would change the character of the neighborhood they reside in which is composed of detached dwellings.

17. The Edgewood Citizens Association supports this application.

18. The Board takes notice of Section 3105.1 of the Zoning Regulations, which states that "R-5 Districts are designed to permit a flexibility of design by permitting in a single district, all types of urban residential development provided they conform with the height density, and area requirements established for these districts under articles 32 and 33 of this chapter.

19. The applicant would provide thirty (30) parking spaces, or one (1) space per unit of the proposed development.

CONCLUSIONS OF LAW AND OPINION:

Based upon the above Findings of Fact, and the Record, the Board is of the opinion that the proposed development will not be objectionable upon the granting of this application.

In considering this application, the Board votes that Section 3105.42 of the regulations, a special exception, permits the type of development proposed.

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The regulation which provides for the relief requested by the instant application requires referral by the Board to agencies who report an adequacy of Educational and Recreational Facilities, adequacy of public streets, parking, light and air, grading, and arrangements of buildings. These agencies having all reported and recommended approval of this application, the Board concludes that the applicant has satisfied the requirements of the regulations, and that the proposed use is in harmony with the Zoning Maps and Plan, and will not adversely affect the use of nearby and adjacent property.


ORDERED:

THAT THE ABOVE APPLICATION BE, GRANTED.

VOTE: 3-2 (Cummings and McIntosh Dissenting.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT.

ATTESTED BY:

  
JAMES E. MILLER

Secretary to the Board

FINAL DATE OF ORDER:

7/11/75

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.